



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

January 11, 2016

(Via email and Certified Mail)

**CERTIFIED MAIL**

**NO. 7015 1520 0001 8019 5111**

Mr. Shawn Hansen, Superintendent  
Tulare County General Services  
1155 East Kamm Avenue  
Dinuba, California 93618  
[shansen1@co.tulare.ca.us](mailto:shansen1@co.tulare.ca.us)

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT YARD #4, 1155 EAST KAMM AVENUE, DINUBA**

Dear Mr. Hansen:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a response to our November 13, 2015 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violations identified in the NOV and submit compliance documentation to the State Water Board and County of Tulare County Environmental Health Services within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

**State Water Board**

Mr. Thomas Henderson  
UST Enforcement Unit  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

**Local CUPA**

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
5957 South Mooney Boulevard  
Visalia, California 93277  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tank(s) in violation, or it may recommend that County of Tulare County Environmental Health Services pursue enforcement, or County of Tulare County Environmental Health Services may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [Amantha.Henkel@waterboards.ca.gov](mailto:Amantha.Henkel@waterboards.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Amantha Henkel", with a stylized flourish at the end.

Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

Attachment: November 13, 2015 Notice of Violation

cc: *(via email only)*

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)

Mr. Richard Lamb  
Fleet Superintendent  
Tulare County General Services  
[rlamb@co.tulare.ca.us](mailto:rlamb@co.tulare.ca.us)

State Water Resources Control Board

November 13, 2015

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7015 0640 0006 0950 4391**

Mr. Shawn Hansen, Superintendent  
Tulare County General Services  
1155 East Kamm Avenue  
Dinuba, California 93618  
[shansen1@co.tulare.ca.us](mailto:shansen1@co.tulare.ca.us)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT YARD #4, 1155 EAST KAMM AVENUE, DINUBA**

Dear Mr. Hansen:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on November 3, 2015 pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Operating Permit</b> – The facility permit to operate is expired.	All	November 1, 2015	Ongoing	H&SC 25284(a)
2	<b>Failure to Maintain Financial Responsibility Onsite</b> – The financial responsibility and the chief financial officer letters were not available at the time of inspection.	All	November 3, 2015	Ongoing	23 CCR 2712(i)
3	<b>Failure to Maintain Testing Records Onsite</b> – The annual monitoring certification for 2014 and the secondary containment testing for 2015 were not available at the time of inspection.	All	November 3, 2015	Ongoing	H&SC 25293; 23 CCR 2712(b), 2715(e)
4	<b>Failure to Maintain Response Plan</b> – Response plan was not available at the time of inspection.	All	November 3, 2015	Ongoing	23 CCR 2632(d)(2), 2634(e), 2641(h)
5	<b>Failure to Notify Local Agency of Designated Operator</b> – Statement of Designated Operator was not available at the time of inspection.	All	November 3, 2015	Ongoing	23 CCR 2715(a)



No.	Violation	Tank	Start Date	Stop Date	Regulation
6	<b>Failure to Maintain Designated Operator Inspection Report Onsite</b> – The monthly designated operator inspection was not available for February 2015.	All	March 1, 2015	Ongoing	23 CCR 2715(c)
7	<b>Failure to Meet Requirements of Safe Suction</b> – During the inspection, the operator could not confirm the systems were safe suction. Safe suction requires a method to readily demonstrate that the system meets the requirements of safe suction.	All	November 3, 2015	Ongoing	23 CCR 2636(a)(3)(D)
8	<b>Failure to Monitor Product Piping</b> – Monitoring sensors in the piping sump are not able to detect a leak at the earliest possible opportunity. The test boots are on and the Schrader valves are pointed up.	All	November 3, 2015	Ongoing	23 CCR 2630(d)
9	<b>Failure to Monitor Product Piping</b> – Monitoring sensors in the piping sump are not able to detect a leak at the earliest possible opportunity. The sensors were not in the vertical position or on the product piping side of the tank.	All	November 3, 2015	Ongoing	23 CCR 2630(d)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and County of Tulare County Environmental Health Services within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Thomas Henderson  
UST Enforcement Unit  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

**Local CUPA**

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Program Manager  
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If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda Henkel", with a stylized flourish at the end.

Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

Mr. Joel Martens  
Program Manager  
Tulare County Environmental Health  
[jmartens@tularehhsa.org](mailto:jmartens@tularehhsa.org)

Mr. Richard Lamb  
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[rlamb@co.tulare.ca.us](mailto:rlamb@co.tulare.ca.us)